

To: Tenley, Clancy[Tenley.Clancy@epa.gov]; Allen, HarryL[Allen.HarryL@epa.gov]; Guria, Peter[Guria.Peter@epa.gov]
Cc: Manzanilla, Enrique[Manzanilla.Enrique@epa.gov]
From: Keener, Bill
Sent: Sat 8/15/2015 6:26:47 PM
Subject: RE: Draft EPA press update for today

Super...thanks, guys.

Bill Keener

Office of Public Affairs

U.S. EPA - Region 9

San Francisco, CA

Phone: (415) 972-3940

From: Tenley, Clancy
Sent: Saturday, August 15, 2015 11:25 AM
To: Keener, Bill; Allen, HarryL; Guria, Peter
Cc: Manzanilla, Enrique
Subject: Re: Draft EPA press update for today

Steve Calanog sending to Melissa right now. I told her it's coming.

From: Keener, Bill
Sent: Saturday, August 15, 2015 11:22 AM
To: Allen, HarryL; Guria, Peter; Tenley, Clancy
Cc: Manzanilla, Enrique
Subject: FW: Draft EPA press update for today

Ok, so see below for missing info in red requested from Reg 9 about current sampling effort for Lake Powell.

Bill Keener

Office of Public Affairs

U.S. EPA - Region 9

San Francisco, CA

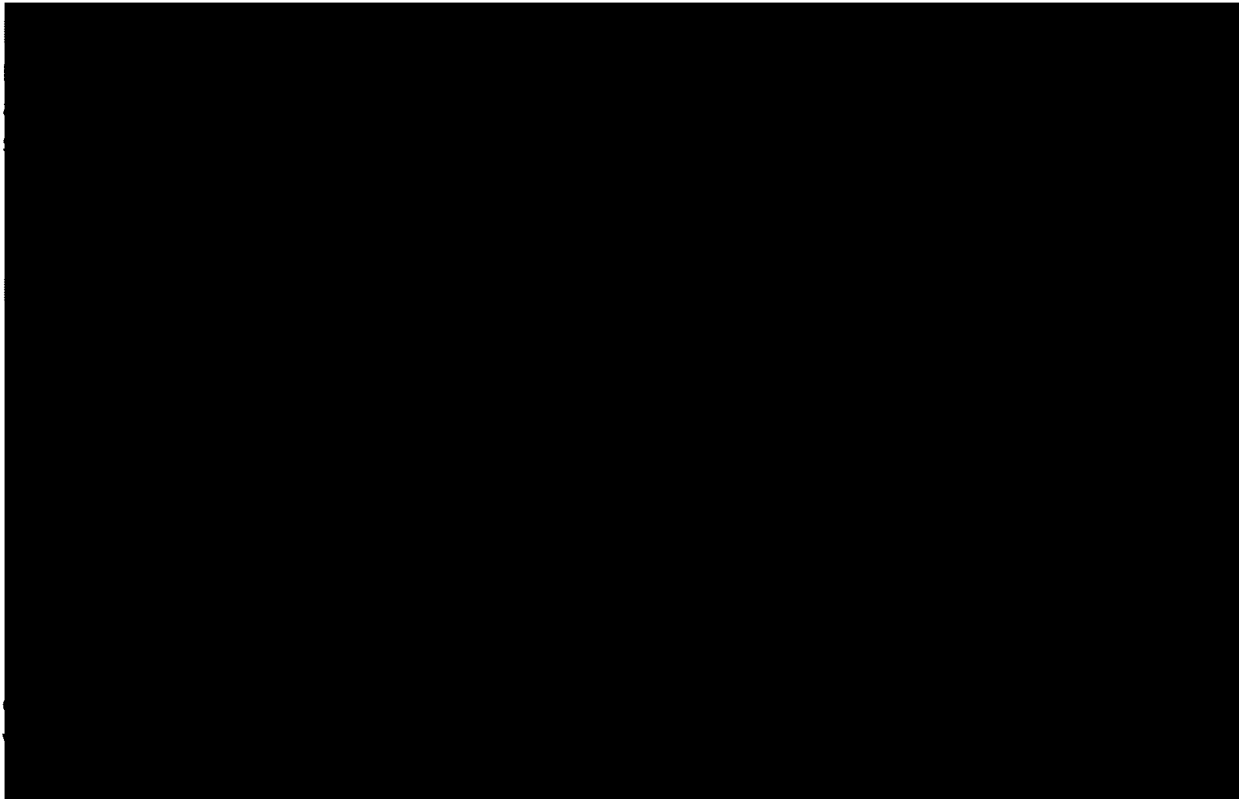
Phone: (415) 972-3940

From: Harrison, Melissa

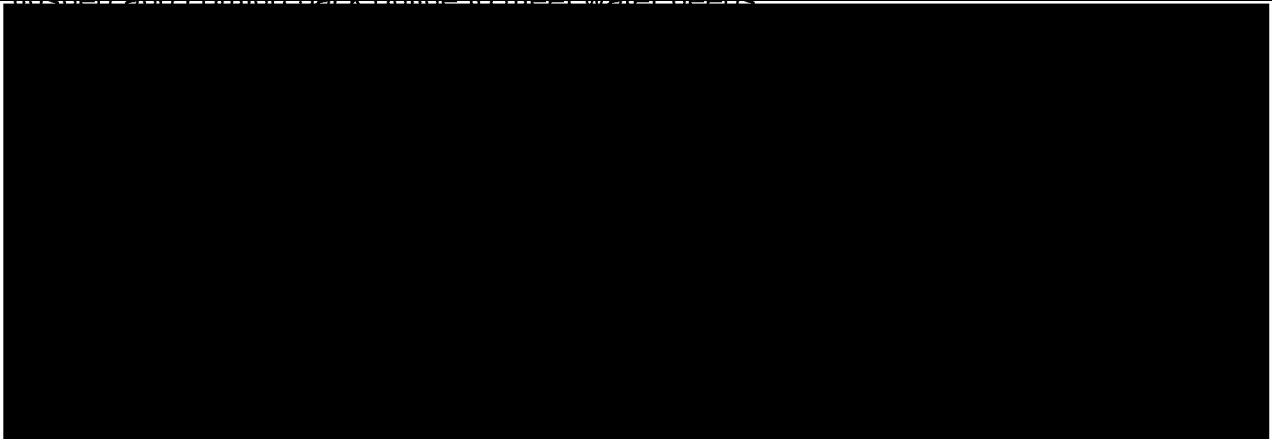
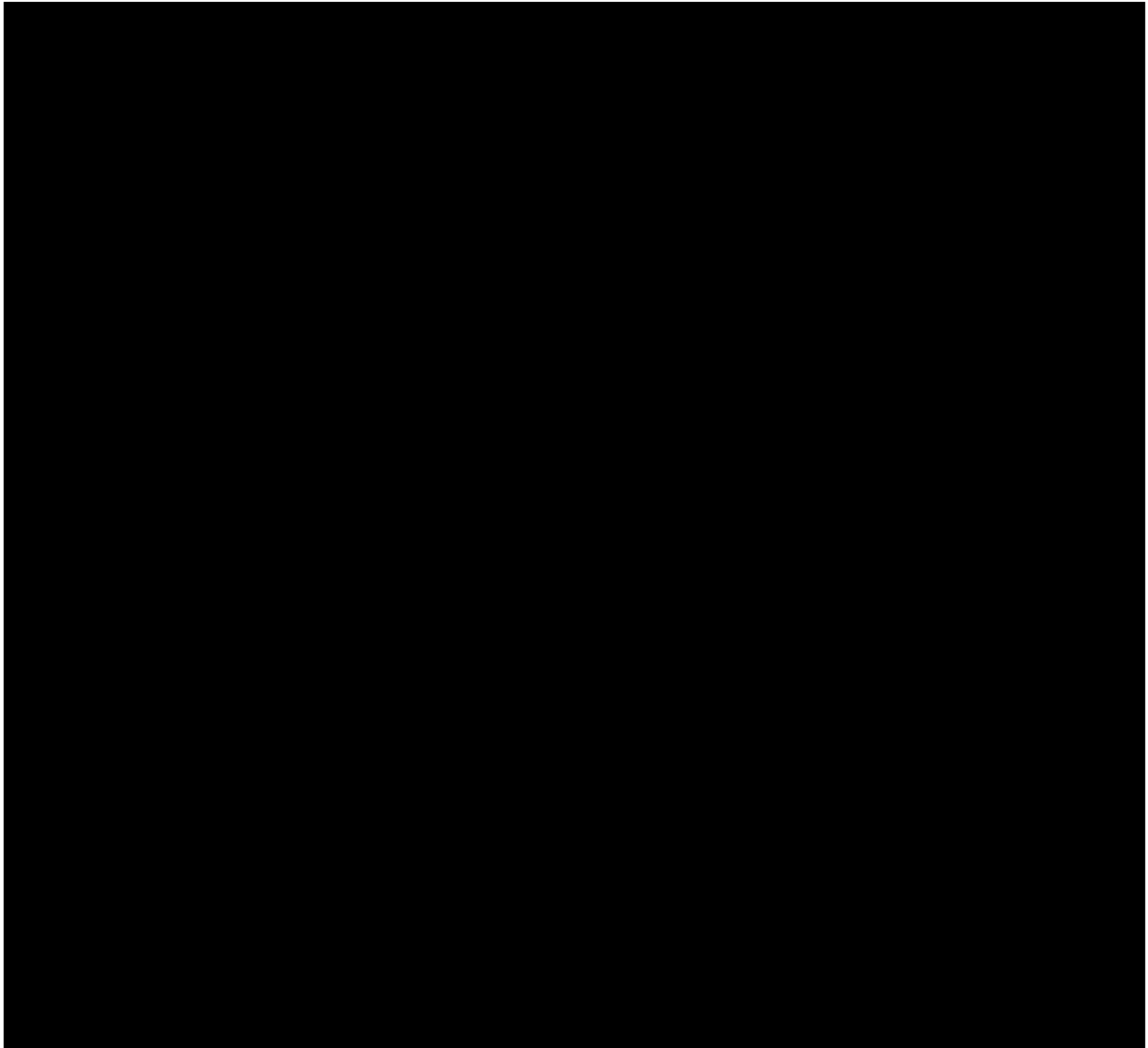
Sent: Saturday, August 15, 2015 11:18 AM

To: Keener, Bill; Tenley, Clancy; Gray, David; Purchia, Liz; McClain-Vanderpool, Lisa; Smith, Paula; Acevedo, Janie

Subject: Draft EPA press update for today



[Redacted signature block]



EPA is not offering immediate reimbursements for damages from the Gold King Mine water and it is not true that if someone submits a claim that by doing so they limit or waive future rights.

EPA's Federal Tort Claims Act (FTCA) regulation provides that a person may amend their claim form at any time prior to reaching a settlement with EPA, or before the person files a lawsuit under the FTCA. Additionally, a person claiming an injury or damage has two years from the date of the event to file a claim with EPA under the FTCA. (40 CFR Part 10).

Standard Form 95 is **not required to present a claim under the FTCA, but it is a convenient format for supplying the information necessary to bring an FTCA claim.** Please note that a completed form must state a claim for money damages in a "sum certain" amount (that is, a specific amount) claimed for personal injury, death, or injury to or loss of property. In addition, if a sum certain is not specified in Standard Form 95 block 12d, or in accompanying information, a submission cannot be considered a valid presentation of a claim.

Although EPA's regulations state that it has six months to resolve a claim, EPA will make every effort to respond to Gold King Mine release claims as soon as possible. Claims must be presented to EPA within two years after the claim accrues.

[Complete the fillable PDF version of Standard Form 95.](#)

